

REMARKS

Status of the Claims

By this Amendment, claims 1, 2, 4, 6-11, 13-17, 19, 21-26, 28-55, 59, 66, 68-74, and 77 are pending. No claims are currently withdrawn from consideration as being drawn to non-elected subject matter. (*Id.*, page 1.)

Applicant previously canceled claims 3, 5, 12, 18, 20, 27, 56-58, 60-65, 67, 75, 76, 78, and 79 without prejudice or disclaimer to the subject matter claimed therein. By this Amendment, Applicant canceled claim 80 without prejudice or disclaimer to the subject matter claimed therein. Applicant reserves the right to pursue any canceled subject matter in a continuation application.

Claims 1, 4, 7-10, 14, 22-25, 59, 66, 68, 70, 72-74, and 77 were amended to more clearly recite the subject matter claimed therein. Support for all amendments are found in the specification as filed. Specifically, claims 1, 4, 7, 8, 14, 22, 23, 59, 66, 68, 70, 72-74, and 77 were amended to recite "...substituted with at least one ~~entity~~ substituent chosen from fluorine atoms and hydroxyl groups...." Support for this amendment is found in the specification as-filed. For example, fluorine atoms and hydroxyl groups are described as being possible "substituents" at page 7, lines 8-9.

Additionally, claims 1, 7-10, 14, and 22-25 were amended to recite "...and one ~~double-unsaturation~~ C=C double bond...." Support for this amendment is found in the specification as-filed. For example, "unsaturated hydrocarbon" of the claimed invention "means a chain which comprises at least one C=C double bond or at least one C≡C triple bond". (Page 7, lines 4-5.) Since these claims originally recited "double

unsaturation”, the Applicant does not believe that this amendment narrows the scope of the claims.

Accordingly, no new matter has been added by these amendment.

I. The Claims Are Not Indefinite Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 2, 4, 6-11, 13-17, 19, 21-26, 28-55, 59, 66, and 68-74, 77, and 80 are rejected as indefinite under 35 U.S.C. § 112, second paragraph. (Office Action, page 2.) The rejection of claim 80 is moot in view of the above amendment canceling that claim. The Examiner alleges that the terms “entity” and “double unsaturation” are relative terms which render the claims indefinite. (*Id.*) We disagree and submit that one of skill in the art reading the specification would understand the definite scope of these terms.

Nevertheless, in order to advance prosecution, and without acquiescence, Applicants amended claims 1, 4, 7, 8, 14, 19, 22, 23, 59, 66, 68, 70, 72-74, and 77 to recite “...substituted with at least one ~~entity~~ substituent chosen from fluorine atoms and hydroxyl groups....” Fluorine atoms and hydroxyl groups are described as being possible “substituents” at page 7, lines 8-9.

In addition, Applicants amended claims 1, 7-10, 14, and 22-25 to recite “...and one ~~double unsaturation~~ C=C double bond....” The “unsaturated hydrocarbon” of the claimed invention “means a chain which comprises at least one C=C double bond or at least one C≡C triple bond”. (Page 7, lines 4-5.)

Applicant respectfully submits that these amendments render moot the Examiner's rejection. Accordingly, Applicant respectfully requests withdrawal of the rejection.

II. Claim 80 Is Not Anticipated Under 35 U.S.C. § 102

Claim 80 is rejected as being anticipated under 35 U.S.C. § 102(b) by Pryor et al., Tetrahedron 54:4107-4124 (1998) ("Pryor"); WO97/9106 to Goodman et al. ("Goodman"); Feng, Biopolymers 39:859-872 (1996) ("Feng"); Melacini et al. J. Am. Chem. Soc. 118:10725-10732 (1996) ("Melacini-1"); and Melacini et al., Tetrahedron 36:6623-6626 (1995) ("Melacini-2"). Office Action, pages 2-4. Claims 1, 2, 4, 6-11, 13-17, 19, 21-36, 28-55, 59, 66, 68-74, and 77 were not included in this rejection. (*Id.*) The Examiner alleges all of these references teach a compound of claim 80. In particular, the Examiner asserts that all of the references disclose a compound of claim 80 where "R" has "N" substitution and a carbonyl group (C=O) as a degree of unsaturation". (*Id.*) Applicants traverse this rejection.

In order to advance prosecution, however, Applicant canceled claim 80 and reserves the right to pursue canceled subject matter in a continuation application. Applicant respectfully requests reconsideration and withdrawal of the rejection.

CONCLUSION

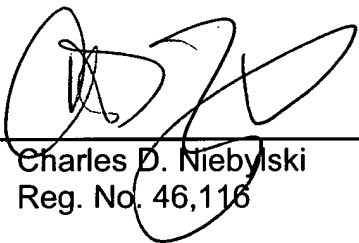
Applicant therefore respectfully requests reconsideration of the application, and the timely allowance of the pending claims. Please grant any extensions of time required to enter this amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: _____


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